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September 11, 2020

ThyssenKrupp North America, Inc  
Patent Department  
111 W. Jackson Suite 2400  
Chicago, IL 60604

Attn: Rob Harmer, Esq.  
Intellectual Property Counsel

Re: Atlas Electronics / Atlas North America/ ThyssenKrupp Patent issue

Dear Rob,

I represent Melinda Smith who is a resident of Gloucester County Virginia. Ms. Smith recently visited my office and advised as to the following set of facts.

In 2015, Ms. Smith developed a product concept to assist in the tracking and location of persons who had fallen overboard while on a cruise ship. This concept involved a wrist band coupled with specific sonar technology.

In March of 2015, Ms. Smith met with Martin Wilcox, an employee of Atlas North America and former owner of Marine Sonic Technology. Mr. Wilcox said he was interested in the project and prepared a Non-Disclosure Agreement.

On May 20, 2015 Ms. Smith engaged in a second meeting with Mr. Wilcox at which time the NDA was executed by the parties with the document signed electronically on behalf of Atlas North America LLC by Andy Culbreath. During that meeting, Mr. Wilcox advised Ms. Smith that she and he were to be 50/50 partners.

In 2016, Mr. Wilcox called Ms. Smith and advised that his employer, Atlas North America, and its parent company Atlas Electronics had been purchased by ThyssenKrupp. Mr. Wilcox advised my client that her intellectual property went along with the sale and that her name was listed as "outside inventor" and Mr. Wilcox was listed as the "inside inventor". Mr. Wilcox also commented that he was "waiting to see if corporate would go for the patent".

Numerous emails thereafter were sent addressing the pace of the project and the involved technology.

In 2018, Ms. Smith received an email from Mr. Wilcox saying that a patent attorney in Chicago was working on the patent and that “it was almost ready for the first review.”

On August 14, 2019, Ms. Smith received an email from Mr. Wilcox indicating that ThyssenKrupp had submitted the patent to the United States Patent and Trademark office and was waiting to see whether the claims being set forth in the patent would be allowed by the USPTO.

On February 5, 2020, Ms. Smith received an email from Mr. Wilcox advising her that the “original in-house application had gone into the T-K patent process and that T-K did the actual paperwork and the formal application to the USPTO.”

Since the February email, Mr. Wilcox has been non-responsive to emailed questions from Ms. Smith inquiring about the status of the patent.

We recently conducted a patent search and it appears that a patent has not been issued by the USPTO to ThyssenKrupp referencing the project as addressed above.

Because Mr. Wilcox references a patent attorney in Chicago working on the project on behalf of ThyssenKrupp, we thought that this attorney might be you; hence, this letter; a copy of which is being sent to Mr. Wilcox, as well.

If you could please respond to the inquiry for information at your earliest convenience, my client would be most appreciative. She just wants to know what is going on. I appreciate your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'William E. Johnson', with a long horizontal line extending to the right.

William E. Johnson

WEJ:jms

cc: Client